



Attorney Docket No. 59183-8058.US02

IFW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: 12-3-2004

By: Susan L. Baka
Susan L. Baka

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CARRETTI ET AL.

APPLICATION No.: 10/820,571

FILED: APRIL 8, 2004

FOR: COMPOSITION USED IN PRODUCING CALCIUM-RICH GETTER THIN FILM

EXAMINER: JOSEPH ANTHONY

ART UNIT: 2879

CONF. No: 8577

Transmittal

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:

- Statement of Substance of Interview
- Petition for _____ -Month Extension of Time
- Notice of Appeal with Petition for _____ -Month Extension of Time
- Terminal Disclaimer

2. Entity Status

- Small Entity Status (37 C.F.R. § 1.9 and § 1.27) has been established by a previously submitted Small Entity Statement.

3. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time, if necessary, for timely filing of this transmittal and enclosures.

4. Provisional Fee Authorization

Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

5. Preliminary Amendment

Enclosed here with is a preliminary amendment to be entered prior to first examination of this application.

Respectfully submitted,
Perkins Coie LLP



William F. Ahmann
Registration No. 52,548

Date: December 3, 2004

Correspondence Address:

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STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please enter the following Statement of Substance of Interview.

STATEMENT OF SUBSTANCE OF INTERVIEW

An Examiner telephonic interview occurred on November 12 and November 16, 2004. Present at the interview was William Ahmann (52,548) – the applicants' representative. No exhibits were presented and no demonstrations of the invention were made. Both interviews were regarding the same matter.

Terminal disclaimers to U.S. patent application nos. 10/294,302 (hereinafter, the '302 application) and 10/282,715 (hereinafter, the '715 application) were discussed. After carefully reviewing the application, the applicants decided a terminal disclaimer to the '715 application should not be required. The Examiner, in the telephonic interview of November 12, that a terminal disclaimer to the '715 application was not necessary. It was understood that the Examiner would issue a Notice of Allowance in the above-identified application after receiving a terminal disclaimer to the '302 application.

The applicants on November 15, 2004, filed a terminal disclaimer solely for the purposes of expediting the issuance of the claims. In the follow-up telephonic interview of November 16, the applicants requested a facsimile copy of the Notice of Allowance. The Examiner indicated he could not issue a Notice of Allowance until the terminal disclaimer had been processed.

CONCLUSION

Applicants believe that all pending claims are allowable and a Notice of Allowance is respectfully requested.

Respectfully submitted,

PERKINS COIE LLP



William F. Ahmann
Reg. No. 52,548

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